

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with James Walters on May 8, 2009.

The application has been amended as follows:

1. (currently amended) A mask blank used for ~~[[the]]~~ a stencil mask comprising a silicon membrane defining through-holes for transmitting charged particle beams, which is made by employing an SOI substrate having a front-side silicon membrane and a back-side silicon layer with a silicon oxide film having a first internal stress interposed therebetween, wherein the back-side silicon layer of said SOI substrate and the silicon oxide film are partially removed to form an exposed region opening ~~to be an exposed region and in which~~ an etching stop layer, ~~which is removed at the time of mask processing,~~ having lower internal stress than said first internal stress is formed ~~in the opening~~, and wherein said etching stop layer, which is removed at the time of mask processing, is made of any one selected from the group consisting of Cr, Ta, Mo, W, and Zr and nitrides, oxides, and oxynitrides of these metals.

2. Cancel

3. (currently amended) A mask blank used for the charged particle beam exposure as claimed in claim 1 ~~or 2~~, wherein a hard mask layer made of any one selected from a group consisting of Cr, Ti, Ta, Mo, W, and Zr and oxides, nitrides, and oxynitrides of these metals is formed on the front-side silicon membrane of said mask blank used for the charged particle beam exposure.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: The arguments and declaration filed December 22, 2008 were largely persuasive, particularly with respect to the lower internal stress limitation of claim 1. It is noted that the page 15, lines 10-16 of the specification identifies particular elements that provide an etching stop layer having a lower internal stress. Hence, the limitation of claim 2, which set forth these specific elements, was incorporated into claim 1 by the attached examiner's amendment.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allan Olsen whose telephone number is 571-272-1441. The examiner can normally be reached on M, W and F: 1-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Parviz Hassanzadeh can be reached on 571-272-1435. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1792

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Allan Olsen/
Primary Examiner, Art Unit 1792